



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman et al.  
SC/Serial No.: 09/842,819  
Confirm. No.: 2799  
Filed: April 26, 2001  
Title: SUPPLEMENTAL SPINE FIXATION DEVICE  
AND METHOD

PATENT APPLICATION

Art Unit: 3732  
Examiner: Unknown

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Box Missing Parts, Commissioner for Patents, Washington, DC 20231**, on September 21, 2001.

(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660  
Signature Date: September 21, 2001

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted, dated July 12, 2001, enclosed are the following documents in connection with the above-identified application:

- ☒ Copy of Notice to File Missing Parts -- Filing Date Granted
- ☒ Declaration for Patent Application
- ☐ Assignment and Assignment Recordation Form Cover Sheet
- ☐ Power of Attorney
- ☐ Statement(s) of small entity status
- ☒ Petition for an Extension of Time pursuant to 37 C.F.R. §1.136(a) for responding to the Notice to File Missing Parts
- ☐ Information Disclosure Statement under 37 C.F.R. §1.56
- ☐ Preliminary Amendment

✓ Formal Figures

### Patent Application Filing Fee

The patent application filing fee (if applicable) is calculated as shown below:

No. Filed	No. Extra	Rate Small Entity/ Large Entity	
Basic Fee		\$355.00 \$710.00	= \$
Total Claims <u>    </u> ** - 20	= <u>    </u> * X	\$ 9.00 \$ 18.00	= \$0.00
Independent Claims <u>    </u> ** - 3	= <u>    </u> * X	\$ 40.00 \$ 80.00	= \$0.00
First Presentation of Multiple Dependent Claim(s) <u>    </u>		\$135.00 \$270.00	= \$0.00
Total PATENT APPLICATION FILING FEES			<u>\$ 0.00</u>

\* If the difference is less than zero, enter "0".

\*\* Count claims after any amendment.

### Total Fee

The Total Fee associated with this communication has been calculated as shown below:

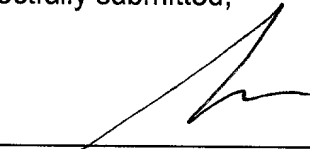
<u>    </u>	Patent application filing fee	\$
<u>✓</u>	Net fee for extension of time	\$55.00
<u>    </u>	Assignment recording fee (\$40.00)	\$
<u>✓</u>	Surcharge under 37 C.F.R. §1.16(e) for late filing of filing fee or Declaration:	
<u>    </u>	Large Entity \$130.00	\$
<u>✓</u>	Small Entity \$ 65.00	\$65.00
TOTAL FEE DUE:		<u>\$120.00</u>

**Method of Payment of Fees**

- ☒ A check in the amount of the TOTAL FEE DUE is enclosed.
- ☒ The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

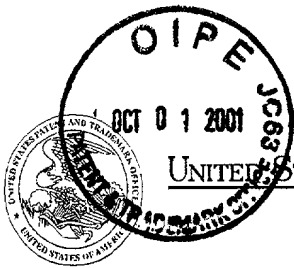
Date: September 21, 2001

By:   
Sheldon R. Meyer  
Reg. No. 27,660

FLIESLER DUBB MEYER & LOVEJOY LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
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JUL 16 2001


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 MEYER & LOVEJOY

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/842,819	04/26/2001	James Zucherman	KLYC-01033US4

CONFIRMATION NO. 2799

FORMALITIES LETTER



\*OC000000006287714\*

 23910  
 FLIESLER DUBB MEYER & LOVEJOY, LLP  
 FOUR EMBARCADERO CENTER  
 SUITE 400  
 SAN FRANCISCO, CA 94111

Date Mailed: 07/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice **MUST** be returned with the reply.

Fliesler, Dubb, Meyer & Lovejoy  
 File: KLYC-01033US4  
 Action Item: Missing Parts Due  
 Date Due: September 12, 2001  
 Critical Date: January 12, 2002  
 Attorney Path: SRM  
 Docketed By: BCW  
 Verified By: [Signature]

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY